

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID BRAHO,)	
)	
<i>Pro Se</i> Petitioner,)	
)	Civil Action No. 13-292
)	
v.)	Judge Cathy Bissoon
)	Chief Magistrate Judge Lisa Pupo Lenihan
COMMONWEALTH OF)	
PENNSYLVANIA)	
)	
Respondent.)	

MEMORANDUM ORDER

This case was referred to United States Chief Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C and 72.D of the Local Rules for Magistrates. On April 3, 2013, the chief magistrate judge issued a Report and Recommendation (Doc. 7), recommending that Petitioner's Petition for Writ of Habeas Corpus (Doc. 4) be summarily dismissed for lack of jurisdiction and that a certificate of appealability be denied.¹ Service of the Report and Recommendation was made on Petitioner with objections due April 22, 2013. No objections have been filed.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 8th day of May, 2013,

IT IS HEREBY ORDERED that the Report and Recommendation of April 3, 2013 (Doc. 7) is adopted as the opinion of the Court.

¹ To date, Petitioner has not effectuated service pursuant to Federal Rule of Civil Procedure 4(j).

IT IS FURTHER ORDERED that Petitioner's Petition for Writ of Habeas Corpus (Doc. 4) is summarily DISMISSED for lack of jurisdiction and that a certificate of appealability is DENIED.

s/ Cathy Bissoon
Cathy Bissoon
United States District Judge

cc:

David P. Braho
2077 Revere Dr.
Heritage, PA 16148

Via U.S. Postal Mail